

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

**DAVID N. RAIN, et al.,**

**Plaintiffs,**

**vs.**

**ROLLS-ROYCE CORPORATION,**

**Defendant.**

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**CAUSE NO. 1:07-cv-1233-WTL-DML**

**ENTRY ON PLAINTIFFS' MOTION**

This cause is before the Court on the Plaintiffs' motion entitled Rule 60 Motion for Relief from Judgment and for Order Certifying Questions to the Indiana Supreme Court. The motion is fully briefed, and the Court, being duly advised, **DENIES** the motion for the reasons set forth below.

The Plaintiffs acknowledge that their motion is not really a Rule 60 motion, inasmuch as no judgment has yet been entered in this case. Rather, the motion seeks reconsideration of the Court's ruling on the Defendant's motion for partial summary judgment. To aid in that reconsideration, the Plaintiffs suggest that the Court should certify certain questions of Indiana law to the Indiana Supreme Court. In light of the fact that this case is set for trial in a few weeks, the Court declines the Plaintiffs' invitation to reconsider its ruling and submit certified questions. The Plaintiffs may make their arguments on appeal once final judgment is entered.

SO ORDERED: 09/28/2009



Hon. William T. Lawrence, Judge  
United States District Court  
Southern District of Indiana

Copies to all counsel of record via electronic notification